

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICARDO McCRAY,

Plaintiff,

-against-

NEW YORK STATE CORRECTIONAL,

Defendant.

1:24-CV-7308 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 15, 2024, the Court granted Plaintiff 30 days' leave to:

(1) resubmit the signature page of his complaint with either his original signature or, if he initiated this action via counsel, with his counsel's original signature; (2) resubmit the signature page of his *in forma pauperis* ("IFP") application with his original signature or pay the \$405 in fees to bring this civil action; and (3) if he wished to seek IFP status, complete, sign, and submit a prisoner authorization along with the signed signature page of his IFP application. (ECF 6.).

That order specified that, if Plaintiff failed to comply with that order, the Court would dismiss this action. (*Id.*). Plaintiff has not complied with that order in any manner described above.

Accordingly, the Court dismisses this action without prejudice. *See* Fed. R. Civ. P. 41(b).

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter a judgment dismissing this action for the reason set forth in this order.

SO ORDERED.

Dated: December 20, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge